

# "TELL HIM I'LL DO WHAT'S RIGHT," WAS GOV. SULZER'S MESSAGE TO MURPHY

Continued from First Page.

ment articles say was perjured by the Governor.

He cheerfully admitted that it was he, Sarecky, who prepared the amusing form for the Governor's signature, and that he was his grateful "for all you say and all you have done for me."

## Says Others Swore Falsely.

He also said that C. S. Pinckney, one of the prosecution's witnesses, testified falsely when he testified that the Governor's contribution to the delivery of Pinckney's contribution, "keep quiet about this; I do not intend to report these personal gifts."

Sarecky said he was present and the Governor made the statement.

As to the Sulzer campaign statement, Sarecky said that he and Horgan spent a day and a half on it, and that Mr. Sulzer never read it, merely asking "is it all right?" and signing when Sarecky told him, "It is as accurate as I can make it."

He also contradicted the notary, Alfred J. Wolff, who swore that he read the statement to Mr. Sulzer. All that Wolff was according to Sarecky, was to ask the candidate if he had signed it.

He testified that he had let a letter purporting to be from William Sulzer authorizing the Mutual Alliance Trust Company to deposit money in the name of the Governor, and that he had let a letter purporting to be from William Sulzer authorizing the Mutual Alliance Trust Company to deposit money in the name of the Governor.

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## Two Witnesses for the Sulzer Defence



Louis M. Josephthal.

that Senator Root had been a long time your father's counsel? A. Yes.

Mr. Josephthal had been asked, but he kept it down because it was evident that his counsel was near an end. When Mr. Josephthal asked him what he did when Gov. Sulzer asked him to see Mr. Sulzer, he said he did not go to see him.

"I told him I would see what I could do for him in the country and forget it."

"No questions," said Judge Herrick, and Mr. Ryan left the stand.

## BEARDSLEY REJECTED.

### AS WAS HIS \$25,000

Samuel A. Beardsley, who has a law office in New York and has been known in State politics for many years, was the first witness called by the defense.

He had known William Sulzer for twenty-five years, and about October 22 had a telephone talk with him in relation to a campaign contribution. The lawyers requested, over the telephone, his evidence.

Beardsley said he had been depicted before this court as going around with his hat in his hand, almost begging contributions for his personal benefit, showing no activity in gathering in contributions than in gathering in votes. We propose to show him that he was a man of large amounts, refused to accept them, and that he was a man of large amounts, refused to accept them.

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## Wife Said She Owned Stocks.

Mr. Sulzer informed me that she owned certain stocks on which her husband had borrowed money, and I interrupted her and stated that I would rather discuss this matter with her husband. Thereupon the same evening, William Sulzer requested me to take up the account.

"Wait a moment," interrupted Mr. Josephthal, "I haven't asked you anything about him yet."

"I am leading up to that," Mr. Josephthal said rather sharply. Finally Mr. Josephthal said:

## H. H. LEHMAN, BANKER.

### SPENT \$12,000 IN ALL

Herbert H. Lehman, New York banker of 32 West Eighty-sixth street, was the second witness for the defense.

He was a member of the Finance Committee in the Sulzer campaign. He got to know Mr. Sulzer in July, 1912, but in June of that year wrote him a letter which was in evidence.

Mr. Lehman said he thought Sulzer was the logical Democratic candidate. He advised a scheme to bring Mr. Sulzer's "full record of accomplishments" before the people.

"I fear that I have neither the time nor the experience to do very much practical work, but I should be very glad, if you would permit it, to help defray the expenses of such a campaign of publicity."

## Opposed an Exchange Bill.

On cross-examination Mr. Josephthal wanted to know if Mr. Lehman was a member of the Stock Exchange committee which opposed the passage of the Governor's stock exchange bill. The witness said he was not and never went before the Governor to talk about these bills.

He said that at one time the Governor asked his opinion and found out that Mr. Josephthal was against the bill increasing the stock transfer tax from \$2 to \$4. The Governor subsequently withdrew his support of the bill.

## Accuses Sarecky of Forgery on the Stand.

Louis A. Sarecky, the boyish Sulzer secretary, followed Mr. Josephthal. He lives at 315 Monroe street, Brooklyn; is 27 years old, married, and succeeded Dr. George B. Campbell as lay member of the Board of the Mutual Alliance Trust Company for the State Hospital Commission.

Sarecky said he had worked for William Sulzer about eleven years, and was secretary in the last few years looked after Mr. Sulzer's personal affairs, interviewed visitors and opened all the correspondence, even when Mr. Sulzer was in his office.

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of attorney in 1906 and never revoked it. He had not been able to find the certificate to produce the money received and deposited by Sarecky in the campaign.

Sarecky replied that it did not matter.

"What money did you leave out and why?" Mr. Hinman inquired.

Mr. Sarecky objected, saying: "What he did does not make any difference. Sarecky is not yet on trial."

"Nor soon," shot back Mr. Hinman, who did not like the slow emphasis that Sarecky put on the word "not."

The witness's answer to the question was:

"Because I did not have any record before me at the time I made up my statement to cover those other ten dollars."

Q. Had some of the money which you had deposited during the campaign in the Mutual Alliance Trust Company been used for purposes other than campaign purposes? A. Yes, sir. I used part of that money in settling a suit out West that had been brought against Mr. Sulzer during his campaign.

Q. Did you confer with him or counsel with him before you did that? A. I did not. I did it without his knowledge. I think I also paid for postage on a number of books that went out of the State, that is, to the best of my recollection.

"Nothing further," said Mr. Hinman. John B. Stanchfield began cross-examination.

"Forgery," says Stanchfield.

He made Sarecky say that he never signed "William Sulzer, per" by Louis A. Sarecky. He always signed "William Sulzer," and he had tried for years to imitate Sulzer's handwriting.

Q. Did you ever receive a communication signed in that way would believe that it was signed by him in person? A. Yes, sir.

Q. Now when you received word from the Mutual Alliance Trust Company that they wanted some authority from Congressman Sulzer at that time for you to endorse his name did you communicate with Governor Sulzer? A. No, sir, I did not.

Mr. Stanchfield leaned against the rail in front of Judge Cullen and fired this shot at Sarecky:

In other words you presented to that bank a deliberate forgery, did you not? For an instant the boy in the witness chair lost his poise as he searched the ceiling for an answer.

"Well," he began.

"Answer that question," demanded Mr. Stanchfield, but Judge Cullen upheld Mr. Herrick's objection.

Put the question this way: "Did you not give him this letter with the intention of deceiving him so that he would think it was the personal letter of the respondent here, authorizing you to do the work?" said the Judge.

"That was my intention when I gave it to him," said Sarecky.

Mr. Stanchfield then asked Sarecky with not mentioning among his helpers in the campaign, did you ever communicate with Governor Sulzer? A. No, sir, I did not.

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At the rear of the store is a large gallery, whose corners are so roofed with glass that the light of day pours in. Here is the department of rare books, which includes manuscripts and original letters, first editions, curiosities of book-making—such things as are interesting to see even to those who do not intend to buy. Some of the present rarities, for instance, are:

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Mr. Stanchfield, "produce for introduction into evidence as we may select the letters from people giving contributions to Gov. Sulzer," said Mr. Ryan.

Mr. Ryan said that he had not seen the letters were at the Executive Mansion.

Mr. Herrick said that the defense, as at present advised, would not. Sarecky was on the stand when court adjourned for the day.

## NEWS TO DE LANCEY NICOLL.

De Lancy Nicoll was asked last evening about Allan A. Ryan's testimony on Gov. Sulzer. He said that he had seen Mr. Nicoll and got him to intercede in the Governor's behalf with Charles F. Murphy. Mr. Nicoll said:

"I never heard of him until I read it in the evening newspaper. I have not seen Mr. Ryan for months."

## MOVE FOR SULZER IN QUEENS.

Grand Jury Inquiry Into Senator Patten's Citizenship Asked.

John A. Hennessy, special investigator for Gov. Sulzer, is said to have asked District Attorney Matthew J. Smith of Queens to make a Grand Jury investigation into the charge that Senator Patten is not a citizen.

Mr. Hennessy is said to have held a conference with the District Attorney Sunday, but Mr. Smith said that he was not at home on Sunday and that he had nothing to say as to whether or not he would ask the Grand Jury to investigate Senator Patten.

Senator Patten was born in England and says he arrived in this country when 17 years old. He was preceded some years by his father, who took out naturalization papers and when he reached his majority Senator Patten voted on his father's papers in accordance with the law at that time. Senator Patten has been voting against Gov. Sulzer.

## Another Move to Bar Fielder.

NEWARK, N. J., Oct. 7.—William E. Sackett, wrote to Attorney-General Edmund Wilson Sunday asking permission to charge quo warranto proceedings to see the right of acting Governor Fielder to run as a candidate for Governor. No reply has been received.

Mr. Sackett said that after January 1, 1913, his salary came from A. E. Sprague, Inc., which was a subsidiary of the General office. Fifteen days later he resigned and became the Governor's confidential stenographer at \$2,500 a year.

Mr. Sackett said that during the period from March 1, 1911, to September 1, 1912, he was paid by the Governor's office for services which this witness rendered the respondent—\$32.33 a month from Clesner and \$50 a month from Mackoff. The contention was made that this testimony affects the credibility of this witness.

Judge Cullen stopped that line of questioning.

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